

Message Text

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46

ACTION EA-14

INFO OCT-01 ISO-00 VO-03 SCA-01 H-03 DRC-01 RSC-01 /024 W

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R 010957Z MAR 74

FM AMEMBASSY TAIPEI

TO SECSTATE WASHDC 1083

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E.O. 11652: N/A

TAGS: CVIS, TW

SUBJECT: CONGRESSMAN SCHERLE'S INTEREST IN CASE OF KUO HSIN-SHENG

REF: STATE 040764

1. SUMMARY. EMBASSY RECOMMENDS AGAINST DIRECT INTERVENTION IN CASE OF KUO HSIN-SHENG, BUT IF IT WOULD HELP WE SUGGEST A RELATIVELY HIGH APPROACH (PERHAPS TO VICE FONMIN) IN WHICH WE WOULD BRING TO GRC ATTENTION STRENGTH OF CONGRESSMAN SCHERLE'S VEIWS. WE ARE NOT SANGUINE ABOUT SUCCESS IN THIS OR OTHER CASES WHERE TAIWAN GARRISON COMMAND IS RESPONSIBLE FOR BLOCKING EXIT PERMITS. END SUMMARY.

2. CONGRESSMAN SCHERLE FIRST RAISED KUO HSIN-SHENG'S CASE WITH CHARGE DURING HIS VISIT TO TAIWAN LAST AUGUST. SINCE ISSUE INVOLVED GRC EXIT PERMIT RATHER THAN US VISA, CHARGE URGED SCHERLE EXPRESS CONCERN DIRECTLY TO FONMIN SHEN. WE DO NOT KNOW IF HE DID SO, BUT HE WROTE PREMIER CHIANG A LETTER ON OCTOBER 5 AND RECEIVED NON-SUBSTANTIVE ACKNOWLEDGEMENT. IN ADDITION TO CONTACTS WITH AMBASSADOR SHEN IN WASHINGTON, SCHERLE'S ADMINISTRATIVE ASSISTANT PAT BREHENY RAISED MATTER WITH AMBASSADOR, JANUARY 11, DURING STAFFDEL VISIT. IN EMPHASIZING IMPORTANCE OF CASE TO SCHERLE, BREHENY STATED THAT CONGRESSMAN MIGHT FEEL COMPELLED TO ATTACK GRC ON FLOOR OF HOUSE IF ISSUE NOT RESOLVED. AMBASSADOR EXPLAINED THAT EMBASSY COULD NOT INTERVENE DIRECTLY, SINCE KUO A CHINESE NATIONAL WITH NO LEGAL CLAIM TO AMERICAN CITIZENSHIP OR PROTECTION, SUGGESTING THAT

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BREHENY CONVEY SCHERLE'S SENTIMENTS TO FONOFF. AGAIN WE ARE

NOT AWARE WHETHER BREHENY DID SO WHILE IN TAIPEI, BUT
AMBASSADOR RECEIVED COPY OF TELEGRAM SCHERLE SENT FONMIN SHEN
FEBRUARY 1 WHICH CONTAINED RELATIVELY MILD PHRASE "I
WILL DEEM IT A FAVOR IF YOUR GOVERNMENT WOULD GIVE FULL
CONSIDERATION TO THIS REQUEST."

3. GRC, OR AT LEAST FONOFF IS QUITE AWARE OF THE BLACK
EYE ROC GETS FROM THESE CASES. WE UNDERSTAND AMBASSADOR
SHEN HAS BEEN QUITE CANDID IN EXPLAINING THE COST,
AND FONOFF OFFICIALS HAVE BEEN BLUNT IN TELLING US THEY
DISAPPROVE BUT CAN DO NOTHING ABOUT IT. PROBLEM LIES WITH
THE TAIWAN GARRISON COMMAND (TGGH) WHOSE NEANDERTHAL VIEWS
CONTINUE TO PREVAIL IN THIS AREA. ALTHOUGH CCK MAY NOT SUPPORT
TTGH, HE IS CLEARLY RELUCTANT TO OVERRULE THEM.

4. EMBASSY CONTINUES TO RECOMMEND AGAINST DIRECT
INTERVENTION ON OUR PART BECAUSE ISSUE FALLS UNDER
SOVEREIGN RESPONSIBILITIES OF GRC; ACTION IN ONE CASE
WOULD ESTABLISH BAD PRECEDENT; AND PROSPECTS FOR SUCCESS
ARE POOR. WE DO HOWEVER BELIEVE SOMETHING MORE COULD BE
DONE. IF IT WOULD HELP WITH CONGRESSMAN SCHERLE, WE
SUGGEST A REASONABLY HIGH LEVEL APPROACH (POSSIBLY DCM
TO THE VICE FONMIN) POINTING OUT INFORMALLY THE STRENGTH
OF THE CONGRESSMAN'S FEELINGS. WE WOULD NOTE THAT DECISION
IS ONE GRC WILL HAVE TO MAKE ITSELF AND THAT OUR APPROACH
IS NOT A REPRESENTATION.

5. PLEASE ADVISE.

6. OUR A-25, WHICH REFTEL STATES HAS NOT BEEN RECEIVED,
WAS POUCHED FEBRUARY 13. IT PROVIDES THE TEXTS OF SCHERLE'S
OCTOBER 5 LETTER TO CCK AND FEBRUARY 1 CABLE TO FONMIN,
REPORTED OUR 887. BOTH PRESUMABLY AVAILABLE FROM SCHERLE'S
OFFICE.
MCCONAUGHY

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